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Supreme Court of the United States

OCTOBER TERM, 1936 7

No. ~~625~~ 3

FRED L. FOX, INDIVIDUALLY AND AS STATE TAX COMMISSIONER OF THE STATE OF WEST VIRGINIA, APPELLANT,

vs.

THE DRAVO CONTRACTING COMPANY

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

FILED JANUARY 6, 1937.

SUPREME COURT OF THE UNITED STATES

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JUDD & DETWEILER (INC.), PRINTERS, WASHINGTON, D. C., FEBRUARY 23, 1937

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[fol. 1] [Caption omitted]

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IN UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

In Equity. No. 3492

THE DRAVO CONTRACTING COMPANY, a Corporation Organized and Existing under the Laws of the State of Pennsylvania, and a Citizen of Said State, Plaintiff,

v.

FRED L. FOX, Individually and as State Tax Commissioner of the State of West Virginia, and a Citizen of Said State, Defendant

BILL OF COMPLAINT—Filed September 9, 1935

To the Honorable George W. McClintic, Judge of said Court:

Your Orator, The Dravo Contracting Company, plaintiff as aforesaid, complains and says:

I

The plaintiff is a corporation organized and existing under and by virtue of the laws of the State of Pennsylvania, has its principal office in the City of Pittsburgh in said State of Pennsylvania, and is a citizen and resident of said State.

[fol. 3] II

Upon information and belief:

The defendant, Fred L. Fox, is the duly appointed, qualified and acting State Tax Commissioner of the State of West Virginia, and said defendant has his principal office at the State Capitol in the City of Charleston and State of West Virginia, in the Southern District thereof, and is a citizen and resident of the said State of West Virginia and said District. The said Fred L. Fox, as State Tax Commissioner, is charged with the duty of assessing and collecting taxes due to the State of West Virginia by virtue of the laws thereof and is empowered by said laws to enforce the collection of said taxes.